APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
CHENEY, BOBAE K.

ART UNIT	PAPER NUMBER
2458	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	Applicant(s)
Office Action Summary		10/598,161	WALD ET AL.
		Examiner	Art Unit
		BOBAE K. CHENEY	2458

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 July 2008</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-36</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-36</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>18 August 2006</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>08/18/2006</u>.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.　　The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.idk

2.　　**Claims 1 – 36** are rejected under 35 U.S.C. 102(b) as being anticipated by Hong

(US Publication 2002/0062372).

3.　　Regarding to **claim 1**, "identifying a peer to peer request," reads on receiving

transaction request in peer to peer network taught by Hong (Paragraph 12, 90). "in

response providing at least one address of a peer to peer server within a cluster that is

adapted to service peer to peer requests," reads on providing identification of hot URLs

(address) taught by Hong (Paragraph 20).

4.　　**Claim 23** is equivalent to claim 1. Therefore, claim 23 is rejected under the

same rationale.

5.　　Regarding to **claim 2**, "wherein the stage of providing involves providing contact

information of multiple peer to peer servers, whereas at least two peer to peer servers

belong to a cluster," reads on providing origin HTTP servers taught by Hong (Paragraph

20).

6.　　**Claim 12** is equivalent to claim 2. Therefore, claim 12 is rejected under the

same rationale.

7.   Regarding to **claim 3**, "the method according to claim 1 further comprising caching, at the cluster, at least one peer to peer file and providing the at least one cached peer to peer file to a user," reads on cache server taught by Hong (Paragraph 14, 15, 39).

8.   Regarding to **claim 4**, "wherein the caching involves applying a hash function," reads on converting destination invariants to hash function taught by Hong (Paragraph 52 – 55).

9.   **Claim 14** is equivalent to claim 4. Therefore, claim 14 is rejected under the same rationale.

10.   Regarding to **claim 5**, "wherein the stage of providing comprises checking if the requested file is also stored outside the cluster," reads on cache server providing the most efficient server farm (cluster) for the request taught by Hong (Paragraph 83).

11.   **Claim 15** is equivalent to claim 5. Therefore, claim 15 is rejected under the same rationale.

12.   Regarding to **claim 6**, "the method according to claim 1 further comprises a stage of providing contact information of possible file sources," reads on providing a list of IP addresses that are serving the content requested taught by Hong (Paragraph 73).

13.   **Claim 16** is equivalent to claim 6. Therefore, claim 16 is rejected under the same rationale.

14.   Regarding to **claim 7**, "wherein the provided contact information of possible file sources is responsive to at least one user parameter," reads on parsing response from the servers to the clients for payload information taught by Hong (Paragraph 91).

15.   **Claim 17** is equivalent to claim 7. Therefore, claim 17 is rejected under the same rationale.

16.   Regarding to **claim 8**,"wherein the provided contact information of possible file sources is responsive to at least one file source parameter or path parameter," reads on generating a tag associated with a server (path parameter) taught by Hong (Paragraph 13).

17.   **Claim 18** is equivalent to claim 8. Therefore, claim 18 is rejected under the same rationale.

18.   Regarding to **claim 9**, "the method of claim 1 further comprising caching peer to peer files regardless of a request to retrieve a peer to peer file," reads on replicating content to cache taught by Hong (Paragraph 9).

19.   **Claim 19** is equivalent to claim 9. Therefore, claim 19 is rejected under the same rationale.

20.   Regarding to **claim 10,** "the method according to claim 1 further comprising providing an encrypted file to the user," reads on providing encryption taught by Hong (Paragraph 38).

21.   **Claims 20, 25, and 32** are equivalent to claim 10. Therefore, claims 20, 25 and 32 are rejected under the same rationale.

22.   Regarding to **claim 11**, "a cluster of peer to peer servers," reads on server farm (cluster) taught by Hong (figure 1, Paragraph 90). "A first device adapted to identify a peer to peer request," reads on receiving transaction request taught by Hong (Paragraph 12). "To provide at least one address of a peer to peer server within the

cluster," reads on providing identification of hot URLs (address) taught by Hong
(Paragraph 20).

23.   **Claim 30** is equivalent to claim 11. Therefore, claim 30 is rejected under the
same rationale.

24.   Regarding to **claim 13**, "wherein the cluster comprises multiple caching units,"
reads on cache servers in server farm taught by Hong (Figure 1 Part 116).

25.   Regarding to **claim 21**, "wherein the cluster is located within a network
operational center," reads on server farm (cluster) under communications network
taught by Hong (Figure 1 Parts 104, 132).

26.   Regarding to **claim 22**, "providing a cache that is adapted to service peer to peer
requests from a first group of users," reads on cache server taught by Hong (Figure 1
Part 116). "Monitoring peer to peer traffic between at least one other group of users,"
reads on monitoring hotness of requests taught by Hong (Paragraph 65, 66). "Electively
caching at the cache at least a portion of the monitored peer to peer traffic," reads on
caching frequently requested content (portion) by Hong (Paragraph 12).

27.   Regarding to **claim 24**, "wherein the cluster is adapted to operate as a web
cache," reads on web cache taught by Hong (Paragraph 9).

28.   **Claim 31** is equivalent to claim 24. Therefore, claim 31 is rejected under the
same rationale.

29.   Regarding to **claim 26**, "wherein the providing include providing multiple file
portions," reads on sending packet with various part such as cookie and tag taught by
Hong (Figure 9).

30.   **Claim 33** is equivalent to claim 26. Therefore, claim 33 is rejected under the same rationale.

31.   Regarding to **claim 27**, "wherein the cluster is adopted to store file portions," reads on replicate (store) hot content to a cache taught by Hong (Paragraph 9).

32.   **Claim 34** is equivalent to claim 27. Therefore, claim 34 is rejected under the same rationale.

33.   Regarding to **claim 28**, "wherein the request is a peer to peer request," reads on transaction request in peer to peer network taught by Hong (Paragraph 12, 90).

34.   **Claim 35** is equivalent to claim 28. Therefore, claim 35 is rejected under the same rationale.

35.   Regarding to **claim 29**, "the method according to claim 23 further comprising performing load balancing between members o the cluster," reads on traffic managers perform load balancing taught by Hong (Paragraph 37).

36.   **Claim 36** is equivalent to claim 29. Therefore, claim 29 is rejected under the same rationale.

Conclusion

37.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US Publication 2002/0184357 to Traversat discloses caching information.

- US Patent 6,912,622 to John Miller discloses cache management for peer to peer network.

- US Publication 2005/0004993 to David Miller discloses calculating hash value.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BOBAE K. CHENEY whose telephone number is (571)270-7641. The examiner can normally be reached on Monday - Thursday 7:30 AM- 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Avellino can be reached on (571)272-3905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BOBAE K CHENEY
Examiner
Art Unit 2458

BKC

/Joseph E. Avellino/

Supervisory Patent Examiner, Art Unit 2458